

15.03.2022

Sl. 44
Court No.29
suvayan
(Allowed)

C.R.M. (NDPS) 284 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.03.2022 in connection with **Kaliachak** P.S. Case No. **1175 of 2021** dated **24/10/2021** under Sections **21(c)/29/27A** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Madan Mandal

....petitioner

Mr. Mrityunjay Chatterjee

Mr. Kaushik Dey

...for the petitioner.

Mr. Ranabir Ray Chowdhury

Mr. Mainak Gupta

...for the State.

Petitioner seeks bail.

Considering the fact that the petitioner stand in the same footing as that of other co-accuseds who were granted bail by this Hon'ble Court and considering the fact that no narcotic was recovered from the possession of the petitioner and considering the fact that the police are seeking to proceed against the petitioner on the basis of the statement of the co-accuseds made while in custody, we are of the view that the petitioner is able to overcome the restrictions under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Accordingly, the petitioner be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court under the NDPS Act, Malda subject to the condition that during bail the petitioner shall appear before the learned trial court on the date fixed till disposal of the trial and the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

Accordingly, the prayer for bail of the petitioner is allowed.

CRM (NDPS) 284 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)